IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 10TH JANUARY 2007 / 20TH PAUSHA 1928

Bail Appl..No. 76 of 2007()

Crime No.597/06 of Kannur Town Poliice Station
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: APPLICANT/ACCUSED:

V.P.CHANDRAPRAKASH,
S/O.LATE V.V.MADHAVAN, POSTAL ASSISTANT,
KANNUR HEAD POST OFFICE, RESIDING AT 'MADHAV',
THRICHAMBARAM P.O., TALIPARAMBA, KANNUR.

BY ADV. SRI.P.VIJAYA BHANU
SMT.P.MAYA

RESPONDENT: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
REPRESENTING THE C.I. OF KANNUR TOWN POLICE
STATION.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No. 76 of 2007

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Dated this the 10th day of January, 2007.

ORDER

Petitioner, who is the accused in Crime No.597 of 2006 of Kannur Town Police Station for offences punishable under Sections 409 and 477A I.P.C., seeks anticipatory bail.

2. Even though the learned Public Prosecutor opposed the application, having regard to the fact that the alleged misappropriation totalling Rs.13,082/- took place in 2003-2004 and was detected also in 2005 and the present complaint has been not filed by the Postal Department, but by one of the Trade Unions, I am inclined to grant anticipatory bail to the petitioner, who shall however make himself available for custodial interrogation before he is released on bail.

3. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs. 10,000/- with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

1. The petitioner shall surrender before the

Investigating Officer any day between 11.1.2007 and 16.1.2007 for the purpose of custodial interrogation and recovery of incriminating material, if any, before he is released on bail.

2. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

3. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

4. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

5. The petitioner shall not commit any offence while on bail.

6. The petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,

JUDGE.

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V.Ramkumar,
Judge.

ess